

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 EDITHA SALVADOR,

4 Plaintiff

5 v.

6 MERIDIAS CAPITAL, et al.,

7 Defendants

Case No.: 2:21-cv-01732-APG-NJK

**Order Denying Motions for Entry of
Default and Default Judgment**

[ECF Nos. 37, 38]

8 Plaintiff Editha Salvador moves for entry of default and for default judgment against
9 defendants Countrywide Home Loans, Inc., Bank of America, N.A., and Mortgage Electronic
10 Registration Systems, Inc. (MERS). ECF Nos. 37, 38. I deny the motions because Salvador did
11 not properly serve these defendants with the original complaint by serving their last known
12 counsel. *See* ECF No. 4; Fed. R. Civ. P. 4. Salvador presents no evidence that these defendants
13 authorized counsel to accept service on their behalf. Salvador filed additional affidavits showing
14 service on Bank of America and MERS in late October 2021. ECF No. 34. These defendants
15 appeared and joined another defendant's motion to dismiss within days of Bank of America and
16 MERS being served. *See* ECF No. 29. Consequently, they are not in default.

17 I THEREFORE ORDER that plaintiff Editha Salvador's motions for entry of default and
18 default judgment (**ECF Nos. 37, 38**) are **DENIED**.

19 DATED this 30th day of November, 2021.

20 

21 ANDREW P. GORDON
22 UNITED STATES DISTRICT JUDGE
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